

103D CONGRESS
1ST SESSION

S. RES. 79

Expressing the Sense of the Senate concerning the United Nation's arms embargo against Bosnia-Herzegovina, a nation's right to self-defense, and peace negotiations.

IN THE SENATE OF THE UNITED STATES

MARCH 11, (legislative day, MARCH 3), 1993

Mr. FEINGOLD submitted the following resolution; which was referred to the Committee on Foreign Relations

RESOLUTION

Expressing the Sense of the Senate concerning the United Nation's arms embargo against Bosnia-Herzegovina, a nation's right to self-defense, and peace negotiations.

Whereas Bosnia-Herzegovina was recognized as a sovereign nation by the United Nations on May 21, 1992, and by the United States on April 7, 1992;

Whereas the Government of Bosnia-Herzegovina has been duly-elected, and is committed to peaceful negotiations with its neighboring states;

Whereas the Government of the United States and the United Nations Security Council is committed to maintaining the territorial integrity of Bosnia-Herzegovina;

Whereas article 51 of the Charter of the United Nations guarantees the right of self-defense to individuals and states;

Whereas United Nations Resolution 713 (1991) imposed a “general and complete embargo on all deliveries of weapons and military equipment to Yugoslavia” on September 22, 1991, “recalling its primary responsibility under the Charter of the United Nations for the maintenance of international peace and security”;

Whereas the Serbian forces inherited almost the entire stockpile of armaments in the Socialist Republic of Yugoslavia, which was the fifth largest army in Europe;

Whereas the embargo froze an unequal and unjust distribution of force, and has enabled the Yugoslav Army and the Serb militias to wage war in Bosnia-Herzegovina;

Whereas Serbia and Serbian-armed forces have launched campaigns of “ethnic cleansing” against non-Serbian residents in Bosnia-Herzegovina, killing over one hundred thirty thousand people and transferring more than one and one-half million from their homelands;

Whereas the 1992 State Department Country Report on Human Rights Practices states that “massive systematic rape, committed by Bosnian Serb military units and prison guards” has been instituted as policy, and a European Community report estimates that twenty thousand women have been raped by Serb forces;

Whereas the Charter of the United Nations is clearly violated when the Government of Bosnia-Herzegovina cannot defend its citizens from such aggression;

Whereas United Nations peacekeeping troops are not authorized through the rules of engagement to protect victims of military assault;

Whereas the Government of the United States and its allies in Europe are committed to enforcing an eventual peace agreement, but are reluctant to send their troops into Bosnia-Herzegovina for the purposes of peacekeeping;

Whereas the international arms embargo has impeded the right of the Government of Bosnia-Herzegovina to protect its citizens from aggression, to ensure humanitarian efforts to deliver food and other supplies, to develop as an independent nation, and to enforce meaningful peace agreements;

Whereas international diplomatic efforts have not to date produced a peaceful and just solution;

Whereas the negotiating strength of each party is dependent to some degree on equity in access to arms, lifting the arms embargo against Bosnia-Herzegovina will assist in self-defense and thereby strengthen the peace process;

Whereas United States Public Law 102-391 of October 6, 1992 states “because of the United Nations arms embargo is serving to sustain the military advantage of the aggressor, the United Nations should exempt the Government of Bosnia-Herzegovina from its embargo”;

Whereas the United States should not act unilaterally in this regard without unanimous agreement from the United Nations Security Council; and

Whereas the United States should take actions to support the peace process and political resolutions to the tragedy in Bosnia-Herzegovina: Now, therefore, be it

1 *Resolved*, That—

1 the United States should work with the member
2 states of the United Nations Security Council to lift
3 the international arms embargo as it applies to
4 Bosnia-Herzegovina in concurrence with article 51
5 of the United Nations Charter; and

6 such action should be taken on a timely basis
7 in a manner to complement to the maximum extent
8 feasible the peace process.

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